

TENNESSEE REGULATORY AUTHORITY

TELECOMMUNICATIONS DIVISION

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TENNESSEE REGULATORY AUTHORITY

TELECOMMUNICATIONS DIVISION

**REQUIREMENTS FOR COMPETING TELECOMMUNICATION
SERVICE PROVIDER APPLICATIONS**

*** I. Administrative Requirements:**

- A. Demonstration of the ability and willingness to adhere to applicable TRA policies, rules, and orders.
- B. Corporate name of service provider
- C. Corporate address of service provider
- D. Organizational chart of corporate structure
- E. Corporate Principal Officers (names and addresses)
- F. Principal Officers in Tennessee (names and addresses if different from corporate)
- G. Copy of articles of incorporation, partnership agreement or by-laws of the service provider
- H. Copy of license to do business in the state of Tennessee

* All administrative requirements are in accordance with TRA Rule 1220-4-8-.04

II. Managerial Requirements:

Data regarding key management staff:

- 1. Degrees: (BS, BA, MBA, etc.) accounting, engineering, etc.
- 2. Professional licenses: CPA, etc.
- 3. Experience: Management, Telecom, etc.

III. Technical Requirements:

- A. Proposed network data:

1. Geographic area coverage: Nashville, Memphis, Knoxville, entire state, etc.
Specify areas which will be excluded
2. Location of switches - i.e., cities.
3. Method of deployment:
4. Type of equipment: DMS-100 or 5ESS, etc. Fiber
Rings, etc.
5. Services offered (If voice grade service is provided, will 911, etc. be
offered?)
- B. Specify engineering expertise: Retained firm, staff electrical engineer, etc. Data
regarding key technical staff.
- C. State if there are any special CPE (Customer Provided Equipment)
requirements that would not be compatible with an incumbent carrier.
- D. Repair and Maintenance
 1. Ensure customer service will meet needs of customer
 2. Phone number for repair and maintenance (customer service)
 3. Address for written communication of repair and maintenance
 4. Name and address of Tennessee contact person responsible for and
knowledgeable about providers operations

IV. Financial Requirements:

- A. Estimated cost of network, switches, and unbundled network elements (UNE's)
- B. Most recent audited financial statements
 1. Balance Sheet
 2. Income Statement
 3. Statement of Cash Flows
- C. Projected financial statements (three (3) years.)
 1. Balance Sheet
 2. Income Statement
 3. Statement of Cash Flows
- D. Capital Expenditures Budget (three years)
 1. Equipment to be deployed
 2. Cost of equipment
 3. Sources for funding Tennessee network, equipment, UNE's: cash, loan
commitments, vendor credits, letters of credit, etc. (complete detail)
- E. Please quantify amounts included in financial statements and projections relating
to reciprocal compensation for terminating ISP traffic.
- F. TCA §65-4-125 amendment states that by September 1, 2000, all
telecommunications service providers subject to the control and jurisdiction of the
authority, except those owners or operators of public telephone service who pay

annual inspection and supervision fees pursuant to Tennessee Code Annotated, §65-4-301(b), or any telecommunications service provider that owns and operates equipment facilities in Tennessee with a value of more than five million (\$5,000,000), shall file with the authority a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars (\$20,000) to secure the payment of any monetary sanction imposed in any enforcement proceeding, brought under this title or the Consumer Telemarketing Protection Act of 1990, by or on behalf of the authority.

V. Small and Minority-Owned Telecommunications Business Participation Plan:

- A. TCA. §65-5-212 provides applicant shall file a plan with the **Authority** along with application for certificate. Such shall contain entity's plan for purchasing goods and services from Small and Minority telecommunications businesses and information on programs, if any, to provide technical assistance to such businesses.
- B. Typical Plan:
1. Policy statement
 2. Definitions from statute
 3. Implementation of plan
 4. Measures to contact such businesses in advisement of opportunities for bid of services
 5. Programs for technical assistance
 6. The Plan should also set forth how it will be administered, the administrator's name, title, address and duties.

VI. TRA Rules for Local Telecommunications Providers:

Applicant should serve notice of its application on the eighteen (18) incumbent local exchange telephone companies in Tennessee with a statement regarding the company's intention of operating geographically. The TRA requires a written certificate of service from the applicant.

VII. Toll Dialing Parity Plan for Applicants Providing Voice Grade Service:

If the applicant does not intend to provide voice grade service, this does not apply. However, if the applicant chooses at some point in the future to provide voice grade service, they must file an appropriate toll dialing parity plan for TRA consideration at least 60 days prior to offering voice grade service.

If applicant offers Voice Grade Service, then a Toll Dialing Parity plan shall be filed with the application. Consistent with FCC Docket 96-98.

VIII. Numbering Issues

Please provide answers to the following questions concerning numbering within your proposed service area.

1. What is your company's expected demand for NXXs per NPA within a year of approval of your application?
2. How many NXXs do you estimate that you will request from NANPA when you establish your service footprint?
3. When and in what NPA do you expect to establish your service footprint?
4. Will the company sequentially assign telephone numbers within NXXs?
5. What measures does the company intend to take to conserve Tennessee numbering resources?
6. When ordering new NXXs for growth, what percentage fill of an existing NXX does the company use to determine when a request for a new NXX will be initiated?

IX. Tennessee Specific Operational Issues

Please provide answers to the following questions concerning Tennessee Specific Operational Issues.

1. How does the company intend to comply with TCA §65-21-114? In its description, please explain technically how the company will not bill for countywide calls within Tennessee.
2. Is the company aware of the Tennessee County Wide Calling database maintained by BellSouth and the procedures to enter your telephone numbers on the database?
3. Is your company aware of the local calling areas provided by the Incumbent Local Exchange Carriers in your proposed service areas?
4. Explain the procedures that will be implemented to assure that your customers will not be billed long distance charges for calls within the metro calling areas.

5. Please provide the name and telephone number of an employee of your company that will be responsible to work with the TRA on resolving customer complaints.
6. Does the company intend to telemarket its services in Tennessee? If yes, is the company aware of the telemarketing statutes and regulations found in TCA §65-4-401 *et seq.* And Chapter 1220-4-11?

VIII. Miscellaneous:

- A. Sworn pre-filed testimony is needed for CLEC applications. This testimony should describe the services to be provided, the applicant's technical, managerial, and financial abilities to provide the services and affirm that all information submitted is true and correct.
- B. Tariff should be filed subsequent to applications approval and before commencing operations (tariffs filed with application are informational only, not official filings)
- C. Identify all states where certified as a telecommunications provider and the status of states certification is pending.
- D. Applicants involvement in pertinent mergers, acquisitions, etc.? Provide a chart showing the applicant's corporate structure.
- E. Are customer deposits required? If so, amount required? Is the applicant bonded for the amount of the deposits?
- F. Identify all complaints filed with state and federal regulatory agencies involving your company or affiliated entities. Identify the nature of the complaint, which governmental agency or office received the complaint, how was the complaint resolved?
- G. Please state if applicant plans to offer services in areas served by any incumbent local exchange telephone company with fewer than 100,000 total access lines?
- H. Such other information as the TRA may require

Notes:

- A. With entry into the local exchange communications markets in Tennessee come basic obligations and responsibilities to serve the public interest. Therefore, all Competing Telecommunications Service Providers providing basic local exchange telephone service or its equivalent shall either directly or through arrangements with other carriers or companies: 1) Provide access to 911 and E911 emergency service; 2) Provide white page directory listings and directory assistance; 3) Provide consumer access to and support for the Tennessee Relay Center in the same manner as incumbent local exchange telephone companies; 4) Provide free blocking service for 900, 976 type services in accordance with TRA policy; 5)

- Provide Lifeline and Link-up services to qualifying citizens of this state; 6) Provide educational discounts in existence as of June 6, 1995 TRA Rule 1220-4-8-.04
- B. If any of the information is not available or cannot be provided, please provide an explanation. Identify any information being replaced for the requested information.
 - C. Applicant must state intent to comply with TCA §65-4-201.
 - D. After public notice and hearing, the TRA shall grant a certificate of convenience and necessity to a Competing Local Telecommunications Service Provider if after examining the evidence presented, the TRA finds: 1) the applicant possesses sufficient managerial, financial, and technical abilities to provide the applied for services: 2) The applicant has demonstrated that it will adhere to all applicable TRA policies, rules and orders. TRA Rule 1220-4-8-04.
 - E. Certificates awarded to Competing Local Telecommunications Service Providers shall designate those incumbent local exchange companies, which serve those areas in which the competing provider intends to operate. If the competing provider wishes to expand into areas served by other incumbent providers, the competing provider must file a petition to modify the certificate. The Commission shall act upon that petition within sixty (60) days of filing. TRA Rule 1220-4-8-.04
 - F. A Wireline Activity Report should be submitted to the TRA on a monthly basis for approved applicants once service commences. This provides the TRA with information regarding the status of local telephone competition in Tennessee.

SAMPLE FILING

BEFORE THE TENNESSEE REGULATORY AUTHORITY

IN THE MATTER OF THE APPLICATION OF CLEC, INC. FOR A CERTIFICATE TO PROVIDE COMPETING LOCAL TELECOMMUNICATION SERVICES

APPLICATION FOR CERTIFICATE TO PROVIDE COMPETING LOCAL TELECOMMUNICATIONS SERVICES

Pursuant to applicable Tennessee Statutes and the Rules and Regulations of the Tennessee Regulatory Authority and Section 253 of the Federal Telecommunications Act of 1996 ("Act"), CLEC, Inc. ("CLECI") respectfully requests that the Tennessee Regulatory Authority ("TRA") grant to CLECI authority to provide competing local telecommunications services, including exchange access telecommunications services, within the State of Tennessee. CLECI is willing and able to comply with all applicable rules and regulations in Tennessee pertaining to the provision of competing local telecommunications services. TCA 65-4-201

In support of its Application, CLECI submits the following:

1. The full name and address of the Applicant is:

CLEC, Inc.
7500 Lakewood Drive
Riverton, Wyoming 82600-0700
Telephone: (304) 777-1000

Questions regarding this application should be directed to:

Connie Lung
Technical Management
210 Park Avenue North
Rochester, New York 14646-0700
Telephone: (716) 888-3000
Facsimile: (716) 888-3001

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Contact name and address at the Company is:

Michael Black, Director - Regulatory Affairs
CLEC, Inc.
7500 Lakewood Drive
Riverton, Wyoming 82669-0700
Telephone: (304) 777-1024
Facsimile: (304) 777-1030

2. Organizational Chart of Corporate Structure: Include any pertinent acquisition or merger information.

See **Exhibit A**

3. Corporate information:

CLEC, Inc. was incorporated in the state of Wyoming on January 4, 1995. A copy of CLECI'S Articles of Incorporation and amendments are provided in **Exhibit B**. A copy of CLECI'S Authority to transact business in the State of Tennessee is provided in **Exhibit C**. The names and addresses of the principal corporate officers are in **Exhibit D**. There are no officers in Tennessee. The biographies of the principal officers and any other key technical staff are in **Exhibit E**.

4. CLECI possesses the managerial, technical, and financial ability to provide local telecommunications service in the State of Tennessee as demonstrated below:

A. Financial Qualifications:

In support of its financial qualifications, CLEC, Inc. submits the year-end 1999 SEC Form 8-K of its parent company, CLEC Communications Corporation (CCC) in **Exhibit F**. CCC is a diversified telecommunications company, serving more than 2 million customers (more than 1 million local access lines) throughout the United States. CCC'S principal lines of business are long distance and local communications. The Company's other lines of business include cellular, paging, and video and audio conferencing. Local exchange revenues grew 107.2% in 1999. Cash and cash equivalents provided from operations in 1999 exceeded \$443 million.

The Company has a number of financing vehicles in place to ensure adequate liquidity in meeting its anticipated funding needs. The Company has commercial paper programs totaling \$350 million, which are fully backed by committed revolving credit agreements.

CCC expects to improve revenues and decrease expenses throughout 2000 as it realizes revenues and operating efficiencies from the nationwide fiber optic

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network begun in late 1996. The fiber optic network was substantially complete at the end of 1998, connecting nearly 100 cities and encompassing more than 13,000 route miles, providing coast-to-coast SONET connectivity. **Exhibit F** summarizes the recent financial performance of the parent company, including the results of CLECI. These include income statements, balance sheets, and statement of cash flows for year-end 1999. Also included are interim statements from September 2000 and projections for 2001, 2002, and 2003 including income statements, balance sheets and statement of cash flows. Thus, CLECI asserts that it has the financial resources necessary to operate as a competitive local service provider in Tennessee.

Exhibit G is a capital expenditures budget for 2001, 2002, and 2003 indicating type of equipment to be purchased, cost, and sources for funding of projected capital expenditures.

CLECI's financials nor their projected financials reflect any revenues or expenses associated with reciprocal compensation.

Corporate Surety Bond is provided as **Exhibit H**

B. Managerial Ability:

As shown in **Exhibit E** to this Application, CLECI has the managerial expertise to successfully operate a telecommunications enterprise in Tennessee. As described in the attached biographical information, CLECI'S management team has extensive management and business experience in telecommunications.

C. Technical Qualifications:

CLECI services will satisfy the minimum standards established by the TRA. The Company will file and maintain tariffs in the manner prescribed by the TRA and will meet minimum basic local standards, including quality of service and billing standards required of all LEC'S regulated by the TRA. Applicant will not require customers to purchase CPE, which cannot be used with the Incumbent Local Exchange Carrier's systems. As noted in the biographies **Exhibit E** of the principal officers, there are two officers with engineering backgrounds and several years of telecommunications expertise. Thus, CLECI is certainly technically qualified to provide local exchange service in Tennessee.

5. Proposed Service Area:

CLECI is already authorized to provide telecommunications services in Illinois, California, Nevada, Georgia, and Florida. Additionally, CLECI has pending applications for authority in Michigan, Oregon, and Wisconsin.

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The applicant proposes to offer its services throughout the State of Tennessee with switches located in Nashville, Knoxville, Memphis, and Chattanooga. These areas are currently being served by BellSouth and Sprint/United, which are designated open to competition. CLECI intends to offer this broad range of telecommunications services through the use of its own facilities, resold facilities, and through a combination of these provisioning methods. CLECI anticipates collocating DSLAMS and other related electronic equipment in the central offices of the ILECS.

6. Types of Local Exchange Service to be provided:

CLECI expects to offer a broad variety of local exchange services, primarily to business customers in Tennessee. CLECI'S initial line of local services will be comparable to that currently offered by the incumbent LECS. Initially CLECI plans to offer basic access line service, PBX and DID Services, Optional Calling Features, Directory Assistance, Directory Services, and Operator Services, as well as all services required under Chapter 1220-4-8-.04 (3) (6) and (2).

7. Repair and Maintenance:

CLECI understands the importance of effective customer service for local service customers. CLECI has made arrangements for its customers to call the company at its toll-free customer service number 1-888-598-9956. In addition, customers may contact the company in writing at the headquarters address, as well as via email at www.cleci@aol.com. The toll free number will be printed on the customer's monthly billing statements. The Tennessee contact person knowledgeable about providers operations is Michael Black, Director - Regulatory Affairs reference (1.) above.

Grant of the Application will further the goals of the Tennessee Legislature and further the public interest by expanding the availability of competitive telecommunications services in the State of Tennessee. In addition, intrastate offering of these services is in the public interest because the services will provide Tennessee customers increased efficiencies and cost savings. Authorizing CLECI to provide local exchange telecommunications services will enhance materially the telecommunications infrastructure in the State of Tennessee and will facilitate economic development.

In particular, the public will benefit both directly, through the use of the competitive services to be offered by CLECI and indirectly, because CLECI's presence in Tennessee will increase the incentives for other telecommunications providers to operate more efficiently, offer more innovative services, reduce their prices, and improve their quality of service. Grant of this Application will further enhance the service options available to Tennessee citizens for the reasons set forth above.

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8. Small and Minority-Owned Telecommunications Business Participation Plan: (65-5-212): **Exhibit I**
9. Toll Dialing Parity Plan: **Exhibit J**
10. Applicant has served notice of this application to the eighteen (18) incumbent local exchange telephone companies in Tennessee with a statement regarding the companies intention of operating geographically. See **Exhibit K** for the list.
11. Numbering Issues: Statement provided in **Exhibit L**
12. Tennessee Specific Operational Issues: Statements provided in **Exhibit M**
13. Miscellaneous:
 - A. Sworn Pre-filed testimony: **Exhibit N**
 - B. Applicant does not require customer deposits
 - C. As of now CLECI has not been subject to complaints in any of the states, in which we are doing business.
 - D. A copy of our tariff is enclosed

CONCLUSION:

CLECI respectfully requests that the TRA enter an order granting it a certificate of convenience and necessity to operate as a competing telecommunications service provider and authority to provide a full range of local exchange on a facilities-based and resale basis throughout the State of Tennessee in the service areas of Bell South, GTE and Sprint and any other ILEC that does not enjoy a rural exemption under Section 251(f) of the Telecommunications Act of 1996. For the reasons stated above, CLECI's provision of these services would promote the public interest by providing high-quality service at competitive prices and by creating greater economic incentives for the development and improvement for all competing providers.

Respectfully submitted this __ day of January, 2000

Counsel for CLEC, Inc.

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LISTING
INCUMBENT LOCAL EXCHANGE SERVICE PROVIDERS
CERTIFICATED IN TENNESSEE
(FACILITIES-BASED)

- 1) **ARDMORE TELEPHONE COMPANY, INC.**
P.O. Box 549
517 Ardmore Avenue
Ardmore, TN 38449
(205) 423-2131
(205) 423-2208 (Fax)

- 2) **BELLSOUTH**
333 Commerce Street
Nashville, TN 37201-3300
(615) 214-3800
(615) 214-8820 (Fax)

- 3) **CENTURY TELEPHONE OF ADAMSVILLE**
P.O. Box 405
116 N. Oak Street
Adamsville, TN 38310
(901) 632-3311
(901) 632-0232 (Fax)

- 4) **CENTURY TELEPHONE OF CLAIBORNE**
P.O. Box 100
507 Main Street
New Tazewell, TN 37825
(423) 626-4242
(423) 626-5224 (Fax)

- 5) **CENTURY TELEPHONE OF OOLTEWAH-COLLEGE DALE, INC.**
P.O. Box 782
5616 Main Street
Ooltewah, TN 37363
(423) 238-4102
(423) 238-5699 (Fax)

- 6) **CITIZENS COMMUNICATIONS COMPANY OF TENNESSEE**
P.O. Box 770
300 Bland Street
Bluefield, WV 24701

LISTING
INCUMBENT LOCAL EXCHANGE SERVICE PROVIDERS
CERTIFICATED IN TENNESSEE
(FACILITIES-BASED)

- 7) **CITIZENS COMMUNICATIONS COMPANY OF THE VOLUNTEER STATE**
P.O. Box 770
300 Bland Street
Bluefield, WV 24701
- 8) **LORETTO TELEPHONE COMPANY, INC.**
P.O. Box 130
Loretto, TN 38469
(931) 853-4351
(931) 853-4329 (Fax)
- 9) **MILLINGTON TELEPHONE COMPANY, INC.**
P.O. Box 429
4880 Navy Road
Millington, TN 38083-0429
(901) 872-3311
(901) 873-0022 (Fax)
- 10) **SPRINT-UNITED**
112 Sixth Street
Bristol, TN 37620
(423) 968-8161
(423) 968-3148 (Fax)
- 11) **TDS TELECOM-CONCORD TELEPHONE EXCHANGE, INC.**
P.O. Box 22610
701 Concord Road
Knoxville, TN 37933-0610
(423) 966-5828
(423) 966-9000 (Fax)
- 12) **TDS TELECOM-HUMPHREYS COUNTY TELEPHONE COMPANY**
P.O. Box 552
203 Long Street
New Johnsonville, TN 37134-0552
(931) 535-2200
(931) 535-3309 (Fax)
- 13) **TDS TELECOM-TELLICO TELEPHONE COMPANY, INC.**
P.O. Box 9

LISTING
INCUMBENT LOCAL EXCHANGE SERVICE PROVIDERS
CERTIFICATED IN TENNESSEE
(FACILITIES-BASED)

102 Spence Street
Tellico Plains, TN 37385-0009
(423) 671-4600
(423) 253-7080 (Fax)

14) TDS TELECOM-TENNESSEE TELEPHONE COMPANY

P.O. Box 18139
Knoxville, TN 37928-2139
(423) 922-3535
(423) 922-9515 (Fax)

15) TEC-CROCKETT TELEPHONE COMPANY, INC.

P.O. Box 7
Friendship, TN 38034
(901) 677-8181

16) TEC-PEOPLE'S TELEPHONE COMPANY, INC.

P.O. Box 310
Erin, TN 37061
(931) 289-4221
(931) 289-4220 (Fax)

17) TEC-WEST TENNESSEE TELEPHONE COMPANY, INC.

P.O. Box 10
244 E. Main Street
Bradford, TN 38316
(901) 742-2211
(901) 742-2212 (Fax)

18) UNITED TELEPHONE COMPANY

P.O. Box 38
120 Taylor Street
Chapel Hill, TN 37034
(931) 364-2289
(931) 364-7202 (Fax)

SAMPLE SWORN PRE-FILED TESTIMONY

BEFORE THE TENNESSEE REGULATORY AUTHORITY NASHVILLE, TENNESSEE

APPLICATION OF CLEC, INC. FOR A CERTIFICATE TO PROVIDE COMPETING LOCAL TELEPHONE SERVICES

PRE-FILED TESTIMONY OF MICHAEL BLACK

SAMPLE INFORMATION THAT MUST BE INCLUDED IN A SWORN PRE-FILED TESTIMONY

I, Michael Black, do hereby testify as follows in support of the application of CLEC, Inc. (CLECI) for a Certificate of convenience and necessity as a competing telecommunications services provider to provide telecommunication services throughout the State of Tennessee.

Q: Please state your full name, business address, and position.

Q: Please briefly describe your duties.

Q: Please describe your business experience and educational background.

Q: Are all statements in CLEC, Inc.'s true and correct to the best of your knowledge, information and belief?

Q: Please describe the current corporate structure of CLEC, Inc

Q: Does CLEC, Inc. possess the requisite managerial, financial, and technical abilities to provide the services for which it has applied for authority?

Q: Please describe CLEC, Inc.'s financial qualifications.

Q: Please describe CLEC, Inc.'s managerial and technical qualifications.

Q: What services will CLEC, Inc. offer?

Q: Will CLEC, Inc. offer service to all consumers within its service area?

SAMPLE SWORN PRE-FILED TESTIMONY

Q: Does CLEC, Inc. plan to offer local exchange telecommunications services in areas served by any incumbent local exchange telephone company with fewer than 100,000 total access lines?

Q: Will the granting of a certificate of convenience and necessity to CLEC, Inc. serve the public interest?

Q: Does CLEC, Inc. intend to comply with all TRA rules, statues, and orders pertaining to the provision of telecommunications services in Tennessee, including those for disconnection and reconnection of service?

Q: Has any state ever denied CLEC, Inc. or one of its affiliates authorization to provide intrastate service?

Q: Has any state ever revoked the certification of CLEC, Inc. or one of its affiliates?

Q: Has CLEC, Inc. or one of its affiliates ever been investigated or sanctioned by any regulatory authority for service or billing irregularities?

Q: Who is knowledgeable about CLEC, Inc.'s operations and will serve as CLEC, Inc.'s regulatory and customer service contact?

Q: Please explain in detail CLEC, Inc.'s proposed procedures for responding to information requests from the TRA and its staff.

Q: Does this conclude your testimony?

I swear that the foregoing testimony is true and correct to the best of my knowledge.

Michael Black
Director Regulatory Affairs
CLEC, Inc.

Subscribed and sworn to me this __day of January, 2000.

Notary Public

State of Wyoming

County of _____

My commission expires_____

SAMPLE SWORN PRE-FILED TESTIMONY

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CLEC, INC.

SMALL AND MINORITY-OWNED TELECOMMUNICATIONS
BUSINESS PARTICIPATION PLAN

SAMPLE

Pursuant to T.C.A. §65-5-212, as amended, CLEC, Inc. (“CLECI) submits this small and minority-owned Telecommunications business participation plan (the “Plan”) along with its Application for a Certificate of Public Convenience and Necessity to provide competing intrastate and local exchange services in Tennessee.

I. **PURPOSE**

The purpose of §65-5-212 is to provide opportunities for small and minority-owned businesses to provide goods and services to Telecommunications service providers. CLECI is committed to the goals of §65-5-212 and to taking steps to support the participation of small and minority-owned Telecommunications businesses in the Telecommunications industry. CLECI will endeavor to provide opportunities for small and minority-owned Telecommunications businesses to compete for contracts and subcontracts for goods and services. As part of its procurement process, CLECI will make efforts to identify and inform minority-owned and small businesses that are qualified and capable of providing goods and services to CLECI of such opportunities.

CLECI’S representatives have already contacted the Department of Economic and Community Development, the administrator of the small and minority-owned Telecommunications assistance program, to obtain a list of qualified vendors. Moreover, CLECI will seek to increase awareness of such opportunities so that companies not

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otherwise identified will have sufficient information to participate in the procurement process.

II. DEFINITIONS

As defined in §65-5-212.

Minority-Owned Business. Minority-owned business shall mean a business which is solely owned, or at least fifty-one percent (51%) of the assets or outstanding stock of which is owned, by an individual who personally manages and controls daily operations of such business, and who is impeded from normal entry into the economic mainstream because of race, religion, sex or national origin and such business has annual gross receipts of less than four million dollars (\$4,000,000).

Small Business. Small Business shall mean a business with annual gross receipts of less than four million dollars (\$4,000,000).

III. ADMINISTRATION

CLECI's Plan will be overseen and administered by the individual named below, hereinafter referred to as the Administrator, who will be responsible for carrying out and promoting CLECI's full efforts to provide equal opportunities for small and minority-owned businesses. The Administrator of the Plan will be:

Norman Trace
CLEC, Inc.
7500 Lakewood Drive
Riverton, Wyoming 84065-0700
Telephone: 304-777-1026
Facsimile: 304-777-1030

The Administrator's responsibilities will include:

(1) Maintaining an updated Plan in full compliance with §65-5-212 and the rules and orders of the Tennessee Regulatory Authority.

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(2) Establishing and developing policies and procedures necessary for the successful implementation of the Plan

(3) Preparing and submitting such forms as may be required by the Tennessee Regulatory Authority, including the filing of required annual updates.

(4) Serving as the primary liaison to and cooperate with the Tennessee Regulatory Authority, other agencies of the State of Tennessee, and small and minority-owned businesses to locate and use qualified small and minority-owned businesses as defined in §65-5-212.

(5) Searching for and developing opportunities to use small and minority-owned businesses and encouraging such businesses to participate in and bid on contracts and subcontracts.

(6) Providing records and reports and cooperate in any authroized surveys as required by the Tennessee Regulatory Authority.

(7) Establishing a record-keeping system to track qualified small and minority-owned businesses and efforts to use such businesses.

(8) Providing information and educational activities to persons within CLECI and training such persons to seek out, encourage, and promote the use of small and minority-owned businesses.

In performance of these duties, the Administrator will utilize a number of resources, including:

Chambers of Commerce
The Tennessee Department of Economic and Community Development
The United States Department of Commerce
 Small Business Administration
 Office of Minority Business
The National Minority Supplier Development Counsel
The National Association of Women Business Owners
The National Association of Minority Contractors
Historically Black Colleges, Universities, and Minority Institutions

The efforts to promote and ensure equal opportunities for small and minority-owned businesses are primarily spelled out in the Administrator's duties above.

Additional efforts to provide opportunities to small and minority-owned businesses will include offering, where appropriate and feasible, small and minority-owned businesses

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assistance with technical, insurance, bonding, licensing, production, and deadline requirements.

IV. RECORDS AND COMPLIANCE REPORTS

CLECI will maintain records of qualified small and minority-owned business and efforts to use the goods and services of such businesses. In addition, CLECI will maintain records of educational and training activities conducted or attended and of the internal procurement procedures adopted to support this plan.

CLECI will submit records and reports required by the Tennessee Regulatory Authority concerning the Plan. Moreover, CLECI will cooperate fully with any surveys and studies required by the Tennessee Regulatory Authority.

CLEC, Inc.

By: _____
Norman Trace
Vice President

Dated: January 10, 2000

INTRALATA TOLL DIALING PARITY PLAN CHECKLIST

THE PLAN SHOULD:

1. Include the proposed implementation date. (FCC ORDER 96-333, 38)
2. Include a list of exchanges in which intralata toll dialing parity will be provided. (FCC ORDER 96-333, 38)
3. Include a method to be used to enable new and existing customers to select alternate providers of telephone toll service. (FCC ORDER 96-333, 38)
4. Accomplish intralata toll dialing parity by a means other than automatically assigning toll customers to itself or any other carrier. (FCC ORDER 96-333, 41 & 81)
5. State the PIC method to be used (2-PIC, MULTIPIC, etc.-2 PIC minimum) (FCC ORDER 96-333, 49)
6. Include customer education procedures (FCC ORDER 96-333, 80)
7. Identify the lata with which it is proposed to associate. (FCC ORDER 96-333, 38)
8. State whether a PIC change charge waiver period is proposed and for how long. (Tennessee Regulatory Authority)
9. Include anti-slamming procedures. (Tennessee Regulatory Authority)
10. Include statements concerning nondiscriminatory access to telephone numbers, operator services, directory assistance, and directory listings. (If applicable)
11. Include a statement that the carrier will comply with all rules of the FCC and the TRA.